

IN THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
CIVIL DIVISION

**DISTRICT OF COLUMBIA,**  
a municipal corporation,  
400 6th Street NW, Suite 10010  
Washington, DC 20001,

*Plaintiff,*

v.

Civil Action No. 2021 CA 002139 B

**16TH ST. HEIGHTS ELIJAH LLC,**

*Serve on:* Kass Legal Group, PLLC  
Registered Agent  
4301 Connecticut Ave. NW  
Suite 434  
Washington, DC 20008

*Defendant.*

**COMPLAINT FOR VIOLATIONS OF THE CONSUMER  
PROTECTION PROCEDURES ACT**

The District of Columbia (the “District”), through the Office of the Attorney General, brings this action against Defendant 16th St. Heights Elijah LLC, pursuant to the Consumer Protection Procedures Act (“CPPA”), D.C. Code §§ 28-3901–28-3913. In support of its claims, the District alleges as follows:

**INTRODUCTION**

1. This case seeks to remedy the unlawful trade practices of Defendant 16th St. Heights Elijah LLC, which owns and operates several properties, including two three-story, multi-unit residential apartment buildings located in the Brightwood neighborhood of Washington,

D.C.—one located at 1450 Somerset Place NW, Washington, D.C. 20011 (the “Somerset Apartments”), and another that directly abuts the Somerset Apartments, located at 1451 Sheridan Street NW, Washington, D.C. 20011 (the “Sheridan Apartments”) (collectively, the “Properties”). The Properties collectively include 59 apartment units—30 at the Somerset Apartments, and 29 at the Sheridan Apartments.

2. This action seeks to remedy Defendant’s failure to maintain the Properties in a safe and habitable condition, which has led to serious security risks threatening the safety of Defendant’s tenants. For at least the past several months, Defendant has ignored its tenants’ pleas to: (1) secure building entrances with adequate locks and/or cameras; (2) collect keys from former tenants or change locks when new tenants move in (thus preventing strangers’ unimpeded entry into public spaces and current tenants’ apartments); and (3) install adequate lighting in and around building entrances and common spaces. These failures constitute unlawful and deceptive trade practices in violation of the CPPA. Defendant’s unlawful trade practices have predictably led to increasing criminal activity (much of it violent) at the Properties, including repeated break-ins, robberies, and assaults over the past several months.

3. Defendant’s tenants have the right to live in safe and habitable premises without being in constant fear of being assaulted or robbed. Accordingly, the District seeks to redress Defendant’s CPPA violations through immediate and permanent injunctive relief requiring Defendant to take reasonable measures to help ensure its tenants’ safety. The District also seeks restitution to compensate tenants for the injuries caused by Defendant and to disgorge Defendant of its ill-gotten gains, as well as civil penalties to punish and deter Defendant’s violations of the CPPA.

## **PARTIES**

4. Plaintiff, the District of Columbia, a municipal corporation empowered to sue and be sued, is the local government for the territory constituting the permanent seat of the government of the United States. The District is represented by and through its chief legal officer, the Attorney General for the District of Columbia. The Attorney General has general charge and conduct of all legal business of the District and all suits initiated by and against the District and is responsible for upholding the public interest. D.C. Code § 1-301.81(a)(1). The Attorney General is also specifically authorized to enforce the CPPA, which allows the Attorney General to seek temporary restraining orders and other injunctive relief. *See id.* § 28-3909.

5. Defendant 16th St. Heights Elijah LLC is a limited liability company organized under the laws of the District of Columbia, with its principal place of business at 8812 Reading Road, Silver Spring, MD 20901. 16th St. Heights Elijah LLC is the owner of both the Somerset Apartments and the Sheridan Apartments. The beneficial owner of 16th St. Heights Elijah LLC is Saifur Khan.

## **JURISDICTION**

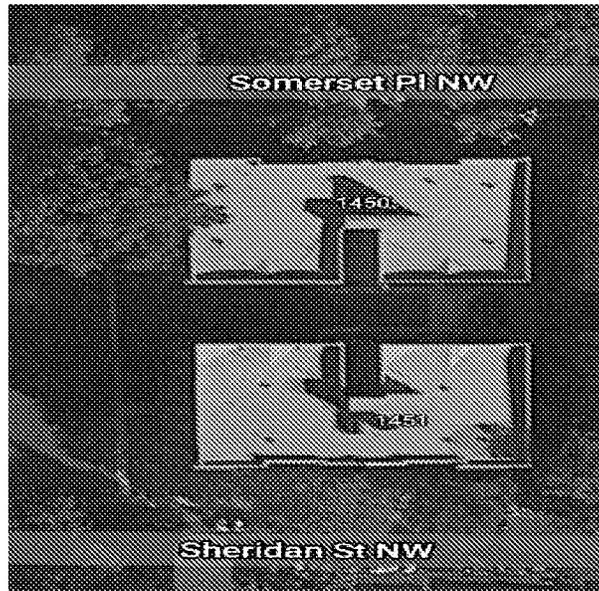
6. The Court has subject matter jurisdiction over the District's claims pursuant to D.C. Code §§ 11-921 and 28-3909.

7. This Court has personal jurisdiction over Defendants pursuant to D.C. Code § 13-423(a).

## **FACTS**

8. The Properties, owned and operated by Defendant, are two abutting three-story, multi-unit apartment buildings located in the Brightwood neighborhood of Washington, D.C. The

Somerset Apartments are located at 1450 Somerset Place NW, Washington, D.C. 20011, while the Sheridan Apartments are located at 1451 Sheridan Street NW, Washington, D.C. 20011.



*Satellite View of the Properties, Google Maps (viewed June 17, 2020)*

9. The Properties collectively house 59 rent-controlled apartment units—30 at the Somerset Apartments, and 29 at the Sheridan Apartments.

10. Over the past several years, the Properties have fallen into a state of disrepair. Most relevant to this case, Defendant does not provide basic security measures to protect the safety of its tenants and, further exacerbating these safety issues, ignored a recent flurry of assaults, robberies, and break-ins resulting from the absence of security measures.

11. *First*, non-tenants can enter both the Somerset Apartments and the Sheridan Apartments freely. The front, back, and side entrances of the Properties have simple key locks, which break regularly. For example, the locks sometimes do not lock at all, and often there are broken keys or coins stuck in the keyholes. And even when the locks are functional, the doors are often propped open and/or have tape on the locks, allowing free access into the buildings. Equally troubling, Defendant neither regularly collects keys from former tenants upon their vacating the

premises, nor regularly changes the locks of individual apartments between tenancies—resulting in former tenants retaining key access both to the buildings and to subsequent tenants’ private apartments.

12. *Second*, Defendant has taken no action to abate the poor visibility at the Properties. There is poor lighting in and around the building entrances and in the buildings’ common areas, and there are no security cameras in or around the buildings—compounding the risks to tenants as they enter and exit the Properties and while in the Properties’ shared spaces.

13. In recent months, tenants have been subjected to serious security incidents at the Properties, including an array of violent criminal activity. For example, in February 2021, an intruder attempted to enter one of the Somerset Apartments’ ground floor units in the early morning hours—using a knife to slice through the exterior window screen—while a female tenant was dressing. The intruder fled only after the tenant’s husband began striking the intruder’s hands with a stick. There was a similar attempted break-in to one of the ground floor units of the Sheridan Apartments that same month, in which an intruder cut a screen to the window of the unit. Moreover, in January 2021, there was an attempted robbery—at gunpoint—in the laundry room of the Somerset Apartments. And in 2020, an intruder entered Somerset apartments through the laundry room window and attacked a tenant

14. In addition to the above incidents, tenants at the Properties report being victims of: a knife attack from a non-tenant who was in a common laundry area; at least one robbery of a tenant who was attempting to enter the building; a non-tenant using a key to open a tenant’s apartment; several other assaults on the premises; and several other break-ins and burglaries of individual apartments. Tenants also report that non-tenants—many suspected to be homeless—are often present in common areas of the buildings, such as the laundry room.

15. Tenants, community organizers, and even the D.C. Council have notified Defendant of these security issues. On March 17, 2021 Ward 4 Councilmember Janeese Lewis George mailed a letter to the beneficial owner of Defendant, which stated, in part:

There have been serious safety breaches in recent weeks [at the Properties], including several armed break-ins over the last few weeks. A few weeks ago a tenant was held at gunpoint and mugged inside the building. Residents report that contractors and prior tenants have key access to the front door and even individual units within the building. Installing security bars on first-floor windows, appropriate lighting, and other safety measures are needed to ensure the safety of your tenants.

Despite knowing about these significant security concerns, Defendant has yet to take adequate measures to protect its tenants.

16. Indeed, because of these incidents and Defendant's failure to address them, tenants of the Properties live in constant fear for their personal safety. They are often forced to take unreasonable measures to protect themselves—for example, by having family members or other tenants meet them at building entrances or monitor them as they leave or enter the buildings, and by sitting in their cars and delaying entering the buildings when suspicious individuals are near the entrances. Many of these tenants have limited income and lack the means to move to a safer property. Other tenants have moved from the Properties because of these security issues.

17. Defendant did not inform its tenants at the time they entered, or renewed, their leases, that the Properties would not be maintained with basic security measures. Rather, Defendant implicitly represented to tenants that the premises would be habitable and would be maintained in accordance with applicable law.

**COUNT I**  
**(Misrepresentations and Omissions in Violation of the Consumer Protection Procedures Act)**

18. The District re-alleges paragraphs 1 through 17 as if set forth fully in this paragraph.

19. The CPPA is a remedial statute that is to be broadly construed. It establishes an enforceable right to enjoin unlawful trade practices regarding consumer goods and services that are or would be purchased, leased, or received in DC.

20. Defendant offers rental housing in the Properties to consumers for personal, household, or family purposes which, therefore, are consumer goods and services.

21. Defendant, in the ordinary course of business, offers to lease or supply consumer goods and services and, therefore, is a “merchant” under the CPPA. *See* D.C. Code § 28-3901(a)(3).

22. The tenants in the Properties are “consumers” under the CPPA because they rented their units in the Properties for personal, household, or family purposes. *See id.* § 28-3901(a)(2).

23. The CPPA authorizes the Attorney General to file suit against any person he has reason to believe “is using or intends to use any method, act, or practice [that is an unlawful trade practice] in violation of . . . D.C. Code § 28-3904.” *Id.* § 28-3909(a).

24. Under the CPPA, it is an unlawful trade practice for any person to:

(a) represent that goods or services have a source, sponsorship, approval, certification, or connection that they do not have;

...

(d) represent that goods or services are of particular standard, quality, grade, style, or model, if in fact they are of another;

(e) misrepresent as to a material fact which has a tendency to mislead; [or]

(f) fail to state a material fact if such failure tends to mislead[.]

*Id.* § 28-3904.

25. Here, Defendant committed unlawful trade practices under the CPPA by, among other acts:

a. implicitly representing to tenants/consumers, through the offering, entering into, and renewal of leases and other acts, that the Properties were safe and habitable and

would be maintained in compliance with applicable laws and regulations while failing to inform tenants/consumers that, in fact, the Properties are not habitable, have serious security deficiencies, and have not been maintained in a manner consistent with applicable laws and regulations;

b. implicitly representing to tenants/consumers that Defendant has abated or will abate all violations of applicable law and any other material defects that pose a serious threat to the health, safety, or security of the tenants/consumers while failing to inform tenants/consumers that, in fact, Defendant has not done so in violation of applicable laws and regulations; and

c. collecting rent from tenants/consumers while failing to inform them that Defendant would continuously and systematically fail to maintain the Properties in a manner consistent with applicable laws and regulations.

26. Defendant's misrepresentations and material omissions of fact both had the capacity and tendency to mislead consumers and constitute unfair and deceptive trade practices in violation of § 28-3904(a), (d), (e), and (f) of the CPPA.

## **COUNT II**

### **(Unlawful Trade Practices Contrary to District Law in Violation of the Consumer Protection Procedures Act)**

1. The District re-alleges paragraphs 1 through 17 as if set forth fully in this paragraph.
2. The CPPA prohibits any person from engaging in unfair or deceptive trade practices, including trade practices that violate other District of Columbia laws and regulations, including "any provision of title 16 of the District of Columbia Municipal Regulations." D.C. Code § 28-3904(dd).

3. Defendant has engaged in unfair and deceptive trade practices affecting District consumers, in violation of D.C. Code § 28-3904, by engaging in trade practices that violate applicable laws and regulations, including District laws and regulations meant to protect and promote the health, safety, and welfare of tenants.

**PRAYER FOR RELIEF**

**WHEREFORE**, the District, pursuant to the CPPA, D.C. Code §§ 28-3901–28-3913, requests that this Court:

- (a) Order preliminary and permanent injunctive relief to remedy the CPPA violations alleged herein, including but not limited to by ordering Defendant to put in place reasonable security measures to protect the safety of its tenants, pursuant to D.C. Code § 28-3909(a);
- (b) Order that Defendant shall not engage in any unfair or deceptive trade practice prohibited by the CPPA within the District of Columbia, pursuant to D.C. Code § 28-3909(a);
- (c) Award restitution to disgorge the rent amounts that Defendant charged tenants while the Properties were in violation of the District’s Housing Code or Property Maintenance Code, or were otherwise uninhabitable, pursuant to D.C. Code § 28-3909(a);
- (d) Award civil penalties in an amount to be proven at trial and as authorized per violation of the CPPA, pursuant to D.C. Code § 28-3909(b);
- (e) Award reasonable attorney’s fees, pursuant to D.C. Code § 28-3909(b);
- (f) Award all allowable costs; and
- (g) Provide any other relief deemed appropriate by the Court.

Dated: June 25, 2021

Respectfully submitted,

KARL A. RACINE  
Attorney General for the District of Columbia

KATHLEEN KONOPKA  
Deputy Attorney General  
Public Advocacy Division

JIMMY ROCK  
Assistant Deputy Attorney General  
Public Advocacy Division

/s/ Jennifer L. Berger  
JENNIFER L. BERGER [Bar No. 490809]  
Chief, Social Justice Section  
Public Advocacy Division  
400 6th Street NW, 10th Floor  
Washington, D.C. 20001  
(Cell) (202) 531-2917  
Jennifer.Berger@dc.gov

/s/ Adam R. Teitelbaum  
ADAM R. TEITELBAUM [Bar No. 1015715]  
Senior Trial Counsel  
Public Advocacy Division  
400 6th Street NW, 10th Floor  
Washington, D.C. 20001  
(Cell) (202) 256-3713  
Adam.Teitelbaum@dc.gov

*Attorneys for the District of Columbia*



Superior Court of the District of Columbia  
 CIVIL DIVISION  
 Civil Actions Branch  
 500 Indiana Avenue, N.W., Suite 5000 Washington, D.C. 20001  
 Telephone: (202) 879-1133 Website: www.dccourts.gov

District of Columbia

Plaintiff

vs.

Case Number 2021 CA 002139 B

16th St. Heights Elijah LLC

Defendant

**SUMMONS**

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty one (21) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

You are also required to file the original Answer with the Court in Suite 5000 at 500 Indiana Avenue, N.W., between 8:30 a.m. and 5:00 p.m., Mondays through Fridays or between 9:00 a.m. and 12:00 noon on Saturdays. You may file the original Answer with the Court either before you serve a copy of the Answer on the plaintiff or within seven (7) days after you have served the plaintiff. If you fail to file an Answer, judgment by default may be entered against you for the relief demanded in the complaint.

Adam R. Teitelbaum, D.C. Bar No. 1015715

Name of Plaintiff's Attorney

District of Columbia Office of the Attorney General

Address

400 6th St. NW, 10th Floor, Washington, D.C. 20001

(202) 256-3713

Telephone

如需翻译,请打电话 (202) 879-4828

Veillez appeler au (202) 879-4828 pour une traduction

Để có một bản dịch, hãy gọi (202) 879-4828

번역을 원하 시면, (202) 879-4828 로 전화 주십시오

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By

Date

06/28/2021

**IMPORTANT: IF YOU FAIL TO FILE AN ANSWER WITHIN THE TIME STATED ABOVE, OR IF, AFTER YOU ANSWER, YOU FAIL TO APPEAR AT ANY TIME THE COURT NOTIFIES YOU TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY DAMAGES OR OTHER RELIEF DEMANDED IN THE COMPLAINT. IF THIS OCCURS, YOUR WAGES MAY BE ATTACHED OR WITHHELD OR PERSONAL PROPERTY OR REAL ESTATE YOU OWN MAY BE TAKEN AND SOLD TO PAY THE JUDGMENT. IF YOU INTEND TO OPPOSE THIS ACTION, DO NOT FAIL TO ANSWER WITHIN THE REQUIRED TIME.**

If you wish to talk to a lawyer and feel that you cannot afford to pay a fee to a lawyer, promptly contact one of the offices of the Legal Aid Society (202-628-1161) or the Neighborhood Legal Services (202-279-5100) for help or come to Suite 5000 at 500 Indiana Avenue, N.W., for more information concerning places where you may ask for such help.

See reverse side for Spanish translation  
 Vea al dorso la traducción al español



**TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA  
DIVISIÓN CIVIL**

**Sección de Acciones Civiles**

500 Indiana Avenue, N.W., Suite 5000, Washington, D.C. 20001

Teléfono: (202) 879-1133 Sitio web: [www.dccourts.gov](http://www.dccourts.gov)

District of Columbia

Demandante

contra

Número de Caso: 2021 CA 002139 B

16th St. Heights Elijah LLC

Demandado

**CITATORIO**

Al susodicho Demandado:

Por la presente se le cita a comparecer y se le requiere entregar una Contestación a la Demanda adjunta, sea en persona o por medio de un abogado, en el plazo de veintiún (21) días contados después que usted haya recibido este citatorio, excluyendo el día mismo de la entrega del citatorio. Si usted está siendo demandado en calidad de oficial o agente del Gobierno de los Estados Unidos de Norteamérica o del Gobierno del Distrito de Columbia, tiene usted sesenta (60) días, contados después que usted haya recibido este citatorio, para entregar su Contestación. Tiene que enviarle por correo una copia de su Contestación al abogado de la parte demandante. El nombre y dirección del abogado aparecen al final de este documento. Si el demandado no tiene abogado, tiene que enviarle al demandante una copia de la Contestación por correo a la dirección que aparece en este Citatorio.

A usted también se le requiere presentar la Contestación original al Tribunal en la Oficina 5000, sito en 500 Indiana Avenue, N.W., entre las 8:30 a.m. y 5:00 p.m., de lunes a viernes o entre las 9:00 a.m. y las 12:00 del mediodía los sábados. Usted puede presentar la Contestación original ante el Juez ya sea antes que usted le entregue al demandante una copia de la Contestación o en el plazo de siete (7) días de haberle hecho la entrega al demandante. Si usted incumple con presentar una Contestación, podría dictarse un fallo en rebeldía contra usted para que se haga efectivo el desagravio que se busca en la demanda.

Adam R. Teitelbaum, D.C. Bar No. 1015715

Nombre del abogado del Demandante

District of Columbia Office of the Attorney General

Dirección

400 6th St. NW, 10th Floor, Washington, D.C. 20001

(202) 256- 3713

Teléfono

如需翻译,请打电话 (202) 879-4828

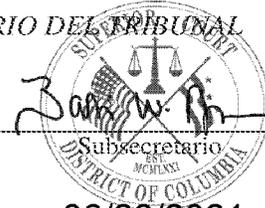
Veillez appeier au (202) 879-4828 pour une traduction

Đề có một bản dịch, hãy gọi (202) 879-4828

번역이 필요하시면 (202) 879-4828 으로 전화하십시오

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SECRETARIO DEL TRIBUNAL



Por:

06/28/2021

Fecha

**IMPORTANTE: SI USTED INCUMPLE CON PRESENTAR UNA CONTESTACIÓN EN EL PLAZO ANTES MENCIONADO O, SI LUEGO DE CONTESTAR, USTED NO COMPARECE CUANDO LE AVISE EL JUZGADO, PODRÍA DICTARSE UN FALLO EN REBELDÍA CONTRA USTED PARA QUE SE LE COBRE LOS DAÑOS Y PERJUICIOS U OTRO DESAGRAVIO QUE SE BUSQUE EN LA DEMANDA. SI ESTO OCURRE, PODRÍA RETENÉRSELE SUS INGRESOS, O PODRÍA TOMÁRSELE SUS BIENES PERSONALES O BIENES RAÍCES Y SER VENDIDOS PARA PAGAR EL FALLO. SI USTED PRETENDE Oponerse a esta acción, NO DEJE DE CONTESTAR LA DEMANDA DENTRO DEL PLAZO EXIGIDO.**

Si desea conversar con un abogado y le parece que no puede pagarle a uno, llame pronto a una de nuestras oficinas del Legal Aid Society (202-628-1161) o el Neighborhood Legal Services (202-279-5100) para pedir ayuda o venga a la Oficina 5000 del 500 Indiana Avenue, N.W., para informarse sobre otros lugares donde puede pedirayuda al respecto.

Vea al dorso el original en inglés  
See reverse side for English original

# Superior Court of the District of Columbia

## CIVIL DIVISION- CIVIL ACTIONS BRANCH INFORMATION SHEET

District of Columbia

Case Number: 2021 CA 002139 B

vs

Date: 6/25/2021

16th St. Heights Elijah LLC

One of the defendants is being sued  
in their official capacity.

Name: <i>(Please Print)</i> Adam R. Teitelbaum	Relationship to Lawsuit
Firm Name: District of Columbia Office of the Attorney General	<input checked="" type="checkbox"/> Attorney for Plaintiff
Telephone No: (202) 256-3713 Six digit Unified Bar No.: 1015715	<input type="checkbox"/> Self (Pro Se)
	<input type="checkbox"/> Other: _____

TYPE OF CASE:  Non-Jury  6 Person Jury  12 Person Jury  
Demand: \$ \_\_\_\_\_ Other: \_\_\_\_\_

### PENDING CASE(S) RELATED TO THE ACTION BEING FILED

Case No.: \_\_\_\_\_ Judge: \_\_\_\_\_ Calendar #: \_\_\_\_\_

Case No.: \_\_\_\_\_ Judge: \_\_\_\_\_ Calendar#: \_\_\_\_\_

### NATURE OF SUIT: *(Check One Box Only)*

#### A. CONTRACTS

#### COLLECTION CASES

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> 01 Breach of Contract        | <input type="checkbox"/> 14 Under \$25,000 Pltf. Grants Consent                            | <input type="checkbox"/> 16 Under \$25,000 Consent Denied |
| <input type="checkbox"/> 02 Breach of Warranty        | <input type="checkbox"/> 17 OVER \$25,000 Pltf. Grants Consent                             | <input type="checkbox"/> 18 OVER \$25,000 Consent Denied  |
| <input type="checkbox"/> 06 Negotiable Instrument     | <input type="checkbox"/> 27 Insurance/Subrogation  | <input type="checkbox"/> 26 Insurance/Subrogation         |
| <input type="checkbox"/> 07 Personal Property         | Over \$25,000 Pltf. Grants Consent   | Over \$25,000 Consent Denied                              |
| <input type="checkbox"/> 13 Employment Discrimination | <input type="checkbox"/> 07 Insurance/Subrogation  | <input type="checkbox"/> 34 Insurance/Subrogation         |
| <input type="checkbox"/> 15 Special Education Fees    | Under \$25,000 Pltf. Grants Consent  | Under \$25,000 Consent Denied                             |
|   | <input type="checkbox"/> 28 Motion to Confirm Arbitration<br>Award (Collection Cases Only) |   |

#### B. PROPERTY TORTS

- |   |   |                                      |
|---|---|--------------------------------------|
| <input type="checkbox"/> 01 Automobile                          | <input type="checkbox"/> 03 Destruction of Private Property | <input type="checkbox"/> 05 Trespass |
| <input type="checkbox"/> 02 Conversion                          | <input type="checkbox"/> 04 Property Damage                 |                                      |
| <input type="checkbox"/> 07 Shoplifting, D.C. Code § 27-102 (a) |   |                                      |

#### C. PERSONAL TORTS

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> 01 Abuse of Process                      | <input type="checkbox"/> 10 Invasion of Privacy                              | <input type="checkbox"/> 17 Personal Injury- (Not Automobile,<br>Not Malpractice) |
| <input type="checkbox"/> 02 Alienation of Affection               | <input type="checkbox"/> 11 Libel and Slander                                | <input type="checkbox"/> 18 Wrongful Death (Not Malpractice)                      |
| <input type="checkbox"/> 03 Assault and Battery                   | <input type="checkbox"/> 12 Malicious Interference                           | <input type="checkbox"/> 19 Wrongful Eviction                                     |
| <input type="checkbox"/> 04 Automobile- Personal Injury           | <input type="checkbox"/> 13 Malicious Prosecution                            | <input type="checkbox"/> 20 Friendly Suit   |
| <input checked="" type="checkbox"/> 05 Deceit (Misrepresentation) | <input type="checkbox"/> 14 Malpractice Legal                                | <input type="checkbox"/> 21 Asbestos  |
| <input type="checkbox"/> 06 False Accusation                      | <input type="checkbox"/> 15 Malpractice Medical (Including Wrongful Death)   | <input type="checkbox"/> 22 Toxic/Mass Torts                                      |
| <input type="checkbox"/> 07 False Arrest                          | <input type="checkbox"/> 16 Negligence- (Not Automobile,<br>Not Malpractice) | <input type="checkbox"/> 23 Tobacco   |
| <input type="checkbox"/> 08 Fraud                                 |  | <input type="checkbox"/> 24 Lead Paint  |

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# Information Sheet, Continued

## C. OTHERS

- |   |   |
|---|---|
| <input type="checkbox"/> 01 Accounting                                  | <input type="checkbox"/> 17 Merit Personnel Act (OEA)   |
| <input type="checkbox"/> 02 Att. Before Judgment                        | (D.C. Code Title 1, Chapter 6)  |
| <input type="checkbox"/> 05 Ejectment                                   | <input type="checkbox"/> 18 Product Liability   |
| <input type="checkbox"/> 09 Special Writ/Warrants<br>(DC Code § 11-941) | <input type="checkbox"/> 24 Application to Confirm, Modify,<br>Vacate Arbitration Award (DC Code § 16-4401) |
| <input type="checkbox"/> 10 Traffic Adjudication                        | <input type="checkbox"/> 29 Merit Personnel Act (OHR)   |
| <input type="checkbox"/> 11 Writ of Replevin                            | <input type="checkbox"/> 31 Housing Code Regulations  |
| <input type="checkbox"/> 12 Enforce Mechanics Lien                      | <input type="checkbox"/> 32 Qui Tam   |
| <input type="checkbox"/> 16 Declaratory Judgment                        | <input type="checkbox"/> 33 Whistleblower   |

## II.

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> 03 Change of Name                                 | <input type="checkbox"/> 15 Libel of Information                                    | <input type="checkbox"/> 21 Petition for Subpoena<br>[Rule 28-I (b)] |
| <input type="checkbox"/> 06 Foreign Judgment/Domestic                      | <input type="checkbox"/> 19 Enter Administrative Order as<br>Judgment [ D.C. Code § | <input type="checkbox"/> 22 Release Mechanics Lien                   |
| <input type="checkbox"/> 08 Foreign Judgment/International                 | 2-1802.03 (h) or 32-151 9 (a)]  | <input type="checkbox"/> 23 Rule 27(a)(1)<br>(Perpetuate Testimony)  |
| <input type="checkbox"/> 13 Correction of Birth Certificate                | <input type="checkbox"/> 20 Master Meter (D.C. Code §                               | <input type="checkbox"/> 24 Petition for Structured Settlement       |
| <input type="checkbox"/> 14 Correction of Marriage<br>Certificate          | 42-3301, et seq.)   | <input type="checkbox"/> 25 Petition for Liquidation                 |
| <input type="checkbox"/> 26 Petition for Civil Asset Forfeiture (Vehicle)  |   |  |
| <input type="checkbox"/> 27 Petition for Civil Asset Forfeiture (Currency) |   |  |
| <input type="checkbox"/> 28 Petition for Civil Asset Forfeiture (Other)    |   |  |

## D. REAL PROPERTY

- |  |  |
|--|--|
| <input type="checkbox"/> 09 Real Property-Real Estate                | <input type="checkbox"/> 08 Quiet Title                                  |
| <input type="checkbox"/> 12 Specific Performance                     | <input type="checkbox"/> 25 Liens: Tax / Water Consent Granted           |
| <input type="checkbox"/> 04 Condemnation (Eminent Domain)            | <input type="checkbox"/> 30 Liens: Tax / Water Consent Denied            |
| <input type="checkbox"/> 10 Mortgage Foreclosure/Judicial Sale       | <input type="checkbox"/> 31 Tax Lien Bid Off Certificate Consent Granted |
| <input type="checkbox"/> 11 Petition for Civil Asset Forfeiture (RP) |  |

/s/ Adam R. Teitelbaum

Attorney's Signature

06/24/2021

Date



SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
CIVIL DIVISION Civil Actions Branch  
500 Indiana Avenue, N.W., Suite 5000, Washington, D.C. 20001  
Telephone: (202) 879-1133 • Website: [www.dccourts.gov](http://www.dccourts.gov)

DISTRICT OF COLUMBIA

Vs.

C.A. No. 2021 CA 002139 B

16TH ST. HEIGHTS ELIJAH LLC

**INITIAL ORDER AND ADDENDUM**

**Pursuant to D.C. Code § 11-906 and District of Columbia Superior Court Rule of Civil Procedure**

**("Super. Ct. Civ. R.") 40-1, it is hereby ORDERED as follows:**

(1) This case is assigned to the judge and calendar designated below. All future filings in this case shall bear the calendar number and the judge's name beneath the case number in the caption.

(2) Within 60 days of the filing of the complaint, plaintiff must file proof of service on each defendant of copies of (a) the summons, (b) the complaint, and (c) this Initial Order and Addendum. The court will dismiss the claims against any defendant for whom such proof of service has not been filed by this deadline, unless the court extended the time for service under Rule 4(m).

(3) Within 21 days of service (unless otherwise provided in Rule 12), each defendant must respond to the complaint by filing an answer or other responsive pleading. The court may enter a default and a default judgment against any defendant who does not meet this deadline, unless the court extended the deadline under Rule 55(a).

(4) At the time stated below, all counsel and unrepresented parties shall participate in a remote hearing to establish a schedule and discuss the possibilities of settlement. Counsel shall discuss with their clients **before** the hearing whether the clients are agreeable to binding or non-binding arbitration. **This order is the only notice that parties and counsel will receive concerning this hearing.**

(5) If the date or time is inconvenient for any party or counsel, the Civil Actions Branch may continue the Conference **once**, with the consent of all parties, to either of the two succeeding Fridays. To reschedule the hearing, a party or lawyer may call the Branch at (202) 879-1133. Any such request must be made at least seven business days before the scheduled date.

No other continuance of the conference will be granted except upon motion for good cause shown.

(6) Parties are responsible for obtaining and complying with all requirements of the General Order for Civil cases, each judge's Supplement to the General Order and the General Mediation Order. Copies of these orders are available in the Courtroom and on the Court's website <http://www.dccourts.gov/>.

**Chief Judge Anita M. Josey-Herring**

Case Assigned to: Judge JOSE M LOPEZ

Date: June 28, 2021

Initial Conference: **REMOTE HEARING - DO NOT COME TO COURTHOUSE  
SEE REMOTE HEARING INSTRUCTIONS ATTACHED TO INITIAL ORDER**

9:30 am, Friday, September 24, 2021

Location: Courtroom 212

500 Indiana Avenue N.W.

WASHINGTON, DC 20001

## **ADDENDUM TO INITIAL ORDER AFFECTING ALL MEDICAL MALPRACTICE CASES**

D.C. Code § 16-2821, which part of the Medical Malpractice Proceedings Act of 2006, provides, "[a]fter action is filed in the court against a healthcare provider alleging medical malpractice, the court shall require the parties to enter into mediation, without discovery or, if all parties agree[,] with only limited discovery that will not interfere with the completion of mediation within 30 days of the Initial Scheduling and Settlement Conference ('ISSC'), prior to any further litigation in an effort to reach a settlement agreement. The early mediation schedule shall be included in the Scheduling Order following the ISSC. Unless all parties agree, the stay of discovery shall not be more than 30 days after the ISSC."

To ensure compliance with this legislation, on or before the date of the ISSC, the Court will notify all attorneys and *pro se* parties of the date and time of the early mediation session and the name of the assigned mediator. Information about the early mediation date also is available over the internet at <https://www.dccourts.gov/pa/>. To facilitate this process, all counsel and *pro se* parties in every medical malpractice case are required to confer, jointly complete and sign an EARLY MEDIATION FORM, which must be filed no later than ten (10) calendar days prior to the ISSC. D.C. Code § 16-2825 Two separate Early Mediation Forms are available. Both forms may be obtained at [www.dccourts.gov/medmalmediation](http://www.dccourts.gov/medmalmediation). One form is to be used for early mediation with a mediator from the multi-door medical malpractice mediator roster; the second form is to be used for early mediation with a private mediator. Plaintiff's counsel is responsible for eFiling the form and is required to e-mail a courtesy copy to [earlymedmal@dcsc.gov](mailto:earlymedmal@dcsc.gov). Unrepresented plaintiffs who elect not to eFile must either mail the form to the Multi-Door Dispute Resolution Office at, Suite 2900, 410 E Street, N.W., Washington, DC 20001, or deliver if in person if the Office is open for in-person visits.

A roster of medical malpractice mediators available through the Court's Multi-Door Dispute Resolution Division, with biographical information about each mediator, can be found at [www.dccourts.gov/medmalmediation/mediatorprofiles](http://www.dccourts.gov/medmalmediation/mediatorprofiles). All individuals on the roster are judges or lawyers with at least 10 years of significant experience in medical malpractice litigation. D.C. Code § 16-2823(a). If the parties cannot agree on a mediator, the Court will appoint one. D.C. Code § 16-2823(b).

The following people are required by D.C. Code § 16-2824 to attend personally the Early Mediation Conference: (1) all parties; (2) for parties that are not individuals, a representative with settlement authority; (3) in cases involving an insurance company, a representative of the company with settlement authority; and (4) attorneys representing each party with primary responsibility for the case.

No later than ten (10) days after the early mediation session has terminated, Plaintiff must eFile with the Court a report prepared by the mediator, including a private mediator, regarding: (1) attendance; (2) whether a settlement was reached; or, (3) if a settlement was not reached, any agreements to narrow the scope of the dispute, limit discovery, facilitate future settlement, hold another mediation session, or otherwise reduce the cost and time of trial preparation. D.C. Code§ 16-2826. Any Plaintiff who is unrepresented may mail the form to the Civil Actions Branch at [address] or deliver it in person if the Branch is open for in-person visits. The forms to be used for early mediation reports are available at [www.dccourts.gov/medmalmediation](http://www.dccourts.gov/medmalmediation).

Chief Judge Anita M. Josey-Herring

## Civil Remote Hearing Instructions for Participants

The following instructions are for participants who are scheduled to have cases heard before a Civil Judge in a **Remote Courtroom**

### **Option 1:** (AUDIO ONLY/Dial-in by Phone):

Toll 1 (844) 992-4762 or (202) 860-2110, enter the Meeting ID from the attachment followed by #, press again to enter session.

- *Please call in no sooner than 5 minutes before your scheduled hearing time. Once you have joined the session, please place your phone on mute until directed otherwise. If you should happen to get disconnected from the call, please call back in using the phone number and access number provided and the courtroom clerk will mute your call until the appropriate time.*

If you select **Option 2** or **Option 3** use the **Audio Alternative**

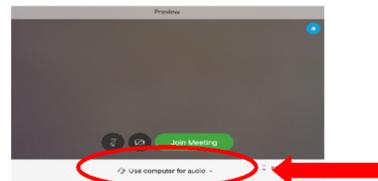
### **Option 2:** (LAPTOP/ DESKTOP USERS 1):

Open Web Browser in Google Chrome and copy and paste following address from the next page:  
<https://dccourts.webex.com/meet/XXXXXXXXXX>

### **Option 3:** (LAPTOP/ DESKTOP USERS 2):

Open Web Browser in Google Chrome and copy and paste following address  
<https://dccourts.webex.com> Select **Join**, enter the Meeting ID from the next page

**AUDIO ALTERNATIVE:** Instead of automatically using **USE COMPUTER FOR AUDIO**, select **CALL-IN** and follow the **CALL-IN** prompt window. Use a cell phone or desk phone. You will be heard clearer if you **do not** place your phone on **SPEAKER**. It is very important that you enter the **ACCESS ID #** so that your audio is matched with your video.



### **Option 4:** (Ipad/SMART PHONE/TABLET):

- Go to App Store, Download WebEx App (Cisco WebEx Meetings)
- Sign into the App with your Name and Email Address
- Select Join Meeting
- Enter address from the next page: <https://dccourts.webex.com/meet/XXXXXXXXXX>
- Click join and make sure your microphone is muted and your video is unmuted (if you need to be seen). If you only need to speak and do not need to be seen, use the audio only option.
- When you are ready click "Join Meeting". If the host has not yet started the meeting, you will be placed in the lobby until the meeting begins.

**For Technical Questions or issues Call: (202) 879-1928, Option #2**

Superior Court of the District of Columbia  
Public Access for Remote Court Hearings  
(Effective August 24, 2020)

**The current telephone numbers for all remote hearings are: 202-860-2110 (local) or 844-992-4726 (toll free).** After dialing the number, enter the WebEx Meeting ID as shown below for the courtroom. Please click a WebEx Direct URL link below to join the hearing online.

Audio and video recording; taking pictures of remote hearings; and sharing the live or recorded remote hearing by rebroadcasting, live-streaming or otherwise are not allowed

Division	Courtroom	Types of Hearings Scheduled in Courtroom	Public Access via WebEx	
			WebEx Direct URL	WebEx Meeting ID
Auditor Master	206	Auditor Master Hearings	<a href="https://dccourts.webex.com/meet/ctbaudmaster">https://dccourts.webex.com/meet/ctbaudmaster</a>	129 648 5606
Civil	100	Civil 2 Scheduling Conferences; Status, Motion and Evidentiary Hearings including Bench Trials	<a href="https://dccourts.webex.com/meet/ctb100">https://dccourts.webex.com/meet/ctb100</a>	129 846 4145
	205	Foreclosure Matters	<a href="https://dccourts.webex.com/meet/ctb205">https://dccourts.webex.com/meet/ctb205</a>	129 814 7399
	212	Civil 2 Scheduling Conferences; Status, Motion and Evidentiary Hearings including Bench Trials	<a href="https://dccourts.webex.com/meet/ctb212">https://dccourts.webex.com/meet/ctb212</a>	129 440 9070
	214	Title 47 Tax Liens; and Foreclosure Hearings	<a href="https://dccourts.webex.com/meet/ctb214">https://dccourts.webex.com/meet/ctb214</a>	129 942 2620
	219	Civil 2 Scheduling Conferences; Status, Motion and Evidentiary Hearings including Bench Trials	<a href="https://dccourts.webex.com/meet/ctb219">https://dccourts.webex.com/meet/ctb219</a>	129 315 2924
	221	Civil 1 Scheduling Conferences; Status, Motion and Evidentiary Hearings including Bench Trials	<a href="https://dccourts.webex.com/meet/ctb221">https://dccourts.webex.com/meet/ctb221</a>	129 493 5162
	318	Civil 2 Scheduling Conferences; Status, Motion and Evidentiary Hearings including Bench Trials	<a href="https://dccourts.webex.com/meet/ctb318">https://dccourts.webex.com/meet/ctb318</a>	129 801 7169
	320	Civil 2 Scheduling Conferences; Status, Motion and Evidentiary Hearings including Bench Trials	<a href="https://dccourts.webex.com/meet/ctb320">https://dccourts.webex.com/meet/ctb320</a>	129 226 9879

400	Judge in Chambers Matters including Temporary Restraining Orders, Preliminary Injunctions and Name Changes	<a href="https://dccourts.webex.com/meet/ctb400">https://dccourts.webex.com/meet/ctb400</a>	129 339 7379
415	Civil 2 Scheduling Conferences; Status, Motion and Evidentiary Hearings including Bench Trials	<a href="https://dccourts.webex.com/meet/ctb415">https://dccourts.webex.com/meet/ctb415</a>	129 314 3475
516		<a href="https://dccourts.webex.com/meet/ctb516">https://dccourts.webex.com/meet/ctb516</a>	129 776 4396
517		<a href="https://dccourts.webex.com/meet/ctb517">https://dccourts.webex.com/meet/ctb517</a>	129 911 6415
518		<a href="https://dccourts.webex.com/meet/ctb518">https://dccourts.webex.com/meet/ctb518</a>	129 685 3445
519		<a href="https://dccourts.webex.com/meet/ctb519">https://dccourts.webex.com/meet/ctb519</a>	129 705 0412
JM-4		<a href="https://dccourts.webex.com/meet/ctbjm4">https://dccourts.webex.com/meet/ctbjm4</a>	129 797 7557
A-47	Housing Conditions Matters	<a href="https://dccourts.webex.com/meet/ctba47">https://dccourts.webex.com/meet/ctba47</a>	129 906 2065
B-52	Debt Collection and Landlord and Tenant Trials	<a href="https://dccourts.webex.com/meet/ctbb52">https://dccourts.webex.com/meet/ctbb52</a>	129 793 4102
B-53	Landlord and Tenant Matters including Lease Violation Hearings and Post Judgment Motions	<a href="https://dccourts.webex.com/meet/ctbb53">https://dccourts.webex.com/meet/ctbb53</a>	129 913 3728
B-109	Landlord and Tenant Matters	<a href="https://dccourts.webex.com/meet/ctbb109">https://dccourts.webex.com/meet/ctbb109</a>	129 127 9276
B-119	Small Claims Hearings and Trials	<a href="https://dccourts.webex.com/meet/ctbb119">https://dccourts.webex.com/meet/ctbb119</a>	129 230 4882